

FILED
GREAT FALLS

2009 DEC 2 PM 4 20

PATRICK E. GUFFY, CLERK

BY _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

ELDON HUFFINE,

Petitioner,

vs.

STATE OF MONTANA PRISON, et
al.,

Respondents.

No. CV 09-63-BU-SEH

ORDER

On October 30, 2009, United States Magistrate Judge Keith Strong entered Findings and Recommendations¹ in this matter. Petitioner did not file objections. No review is required of proposed findings and recommendations to which no objection is made. Thomas v. Arn, 474 U.S. 140, 149-152 (1986). However, this

¹ Docket No. 4.

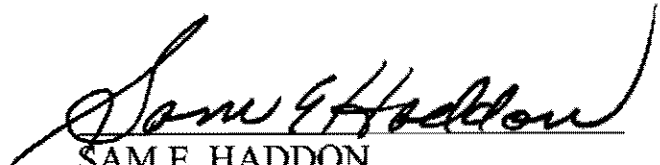
Court will review Judge Strong's Findings and Recommendations for clear error.

Upon review, I find no clear error in Judge Strong's Findings and Recommendation and adopt them in full.

ORDERED:

1. The Petition for Writ of Habeas Corpus² is DENIED for failure to pay the filing fee or move to proceed *in forma pauperis*.
2. The Clerk of Court is directed to enter a judgment of dismissal.
3. A certificate of appealability is DENIED. Any appeal would be taken in bad faith.

DATED this 2nd day of December, 2009.


SAM E. HADDON
United States District Judge

² Docket No. 1.